

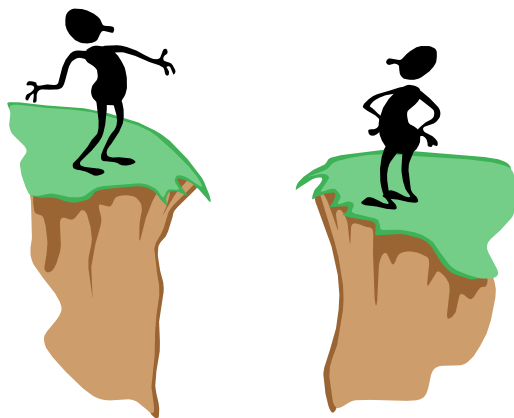
To read with JAWS for Windows program:

1. Check "normal" in View. (Alt v, then Enter to check normal if needed)
2. Maximize the screen. (Hold down ALT and space bar, then X; or hold down Alt and spacebar, then Dash)
3. Refresh screen. (Hold down insert and escape keys). Use insert and down arrow keys together twice if jaws stops before end of document

# MEDIATION

## A BETTER WAY TO WORK THINGS OUT

### *Answers To Common Questions About Mediation*



Picture-People talking across crevasse

## WHAT IS MEDIATION?

Mediation is a popular form of alternative dispute resolution (ADR). In mediation, the mediator, a specially-trained third-party neutral, helps people in a dispute discuss their situation and resolve it together.



Picture-umpire separating arguing men

## WHY IS MEDIATION SO POPULAR?

Mediation has many qualities that make it appealing. It is usually:

- ✓ Quick;
- ✓ Inexpensive;
- ✓ Voluntary;
- ✓ Confidential;
- ✓ Conciliatory;
- ✓ Creative;
- ✓ Fair.

Using mediation also has several key benefits. Mediation promotes:

- ✓ greater participant control;
- ✓ customized agreements;
- ✓ workable decisions;

- ✓ mutually satisfactory outcomes;
- ✓ improved relationships;
- ✓ high rates of compliance.

## WHEN CAN YOU USE MEDIATION?

FEMA promotes the use of mediation to resolve external conflicts as well as disputes within the Agency.

Mediation can be used to resolve disputes between two or more people, or between multiple groups or even organizations. It is most likely to succeed when the parties have an ongoing relationship and have an interest in resolving the dispute.

## HOW DOES MEDIATION WORK?

FEMA offers mediation through its Alternative Dispute Resolution Office. If the ADR Specialist decides mediation is appropriate, the specialist will meet with the parties to organize the process. The parties will sign an agreement to use mediation by a certain date.

Mediation involves four stages, which together may take as little as an hour and often take less than one day:

1. Introduction;
2. Discussion of issues;
3. Development of options;
4. Agreement writing.

In a mediation session, the parties discuss the dispute with the assistance of the mediator. In most cases, the parties and the mediator (or co-mediators) are the only people present, although parties may choose to have a representative with them.

## WHAT DOES THE MEDIATOR DO?

The mediator assists the parties in their negotiations by facilitating communication and by helping them identify and overcome any obstacles to settlement. The mediator does not render a decision and has no power to force a settlement.



Picture-Women shaking hands

## WILL I LOSE ANY RIGHTS?

Choosing mediation typically does not prevent you from pursuing formal grievance or complaint avenues when an agreement is not reached. However, those avenues may have deadlines that are unaffected by attempts to use mediation. Please contact the ADR Specialist for more information.

## WHO PAYS FOR MEDIATION?

The ADR Office offers many no-cost options. Where there are costs, the parties can discuss them with the ADR Specialist.

## WHAT IS MY ROLE?

Your role in mediation is to negotiate with the other party in good faith and with the assistance of the mediator. To improve the chances of success, do the following:

- Look at the other party when speaking to them, and acknowledge that you have heard what they have to say;
- Listen calmly to the other party, even if you disagree;
- Keep your participation professional and cordial;
- Show empathy for the other person;
- Look for ways to improve communication;
- Demonstrate a commitment to fairness and to resolution of the issue.

## HOW CAN I PREPARE?

To help prepare for mediation, it is useful to consider the following:

- What are your interests? What is it that you really want or need?
- What do you think the other party wants or needs?
- What is it realistic to ask for?
- What creative options might satisfy both your needs and theirs?
- What are your alternatives to settling the dispute in mediation? What is the best and most realistic alternative? What are the likely costs?
- Compare your best, most realistic alternative against what is offered.
- If you cannot get everything you want, think about what you can live with in order to resolve the situation now.

## HOW CAN I REQUEST MEDIATION?

*FEMA's ADR Specialist will answer any questions and help develop ADR solutions tailored to your situation.*

*More information can also be found on our web site: <http://online.fema.net/adr>*



Picture-FEMA logo

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